

#4



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Fax Cover Letter

Please deliver the following pages to: Stephen W. Jackson

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4/Response
Shura
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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 3.73(b)

I, Albert B. Campbell, Jr., hereby certify that this correspondence is being transmitted via facsimile to Stephen W. Jackson, Primary Examiner, 703-486-2142, Fax No. 703-486-9318, Assistant Commissioner for Patents, Washington, D.C. 20231, in accordance with 37 C.F.R. § 3.73(b).

Date: February 3, 2003 Signed: *Albert B. Campbell, Jr.*

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:
Bahram Mechanic

Serial No.: 09/839,331

Filed: April 20, 2001

Title: TRANSIENT VOLTAGE SURGE
SUPPRESSOR

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Group Art Unit: 2836

Examiner: Lesley D. Morris

Docket No.: 43481.000002

RESPONSE TO THE OFFICE ACTION
MAILED JANUARY 2, 2003

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BOX RESPONSE – NO FEE
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

RESPONSE

This communication is in response to the Office Action of January 2, 2003. Applicant notes that the claims were rejected based only on the obviousness-type double patenting ground over the claims of commonly owned U.S. Patent No. 6,229,682.

Submitted herewith are a Terminal Disclaimer and a Statement Under 37 C.F.R. § 3.73(b) signed on behalf of Smart Power Systems, Inc., assignee of the present application and of U.S. Patent No. 6,229,682. In view of this, withdrawal of the obviousness-type double patenting rejection is respectfully requested.

Also enclosed as an Appendix is a document setting forth the Claims in their present form, unchanged from those as originally filed. Since no other formal matters were noted in the January 2, Office Action, it is submitted that the present application is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,


Albert B. Kimball Jr., Registration No. 25,689

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